Joshua A. Sussberg, P.C. KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP Leah Hamlin (admitted pro hac vice)

601 Lexington Avenue New York, New York 10022 Telephone: (212) 446-4800 Facsimile: (212) 446-4900 Judson Brown, P.C. (admitted *pro hac vice*) T.J. McCarrick (admitted *pro hac vice*)

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

1301 Pennsylvania Avenue NW Washington, D.C. 20004

Telephone: (202) 389-5000 Facsimile: (202) 389-5200

Patrick J. Nash, Jr., P.C. (admitted pro hac vice) Ross M. Kwasteniet, P.C. (admitted pro hac vice) Christopher S. Koenig Dan Latona (admitted pro hac vice) KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP

300 North LaSalle Street Chicago, Illinois 60654

Telephone: (312) 862-2000 Facsimile: (312) 862-2200

Counsel to the Debtors and Debtors in Possession

### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:		)	Chapter 11
CELSIUS NETWORK LLC, et al.,1		)	Case No. 22-10964 (MG)
	Debtors.	)	(Jointly Administered)

PROPOSED JOINT STIPULATION AND AGREED SCHEDULING ORDER BY AND AMONG THE DEBTORS, THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS, AND CORE SCIENTIFIC, INC. WITH RESPECT TO SCHEDULE

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

This stipulation and agreed scheduling order (this "Stipulation and Order") is entered into by and among the Debtors, the Official Committee of Unsecured Creditors (the "Committee") and Core Scientific, Inc. ("Core Scientific").

## Recitals

WHEREAS, on September 28, 2022, the Debtors filed the *Debtors' Motion to Enforce the Automatic Stay and for Civil Contempt* [Docket No. 917] ("Debtors' Motion").

WHEREAS, on October 9, 2022, Core Scientific filed a letter on the docket [Docket No. 997] seeking an extension of a hearing on the Debtors' Motion and indicating Core Scientific may file its own motion for affirmative relief (the "Core Scientific Motion").

WHEREAS, on October 10, 2022, the Debtors filed a responsive letter on the docket [Docket No. 1003].

**WHEREAS**, the Debtors, Core Scientific and the Committee (the "<u>Parties</u>") have met and conferred regarding scheduling for the Debtors' Motion and the Core Scientific Motion.

**WHEREAS**, the Parties now jointly submit this Stipulation and Order and respectfully request that the Court approve the schedule set forth below.

# IT IS THEREFORE STIPULATED AND AGREED, AND UPON COURT APPROVAL HEREOF, IT IS HEREBY ORDERED THAT:

- 1. The deadline for the Committee and Core Scientific to file a response or joinder to the Debtors' Motion is October 19, 2022.
- 2. The deadline for Core Scientific to file the Core Scientific Motion seeking affirmative relief is October 19, 2022.
- 3. The deadline for all depositions is November 1, 2022, unless declarations from any new witnesses are added after November 1, in which case such witnesses shall be made available for deposition on or before November 8.

- 4. The deadline for the Debtors and the Committee to file a reply in support of the Debtors' Motion is November 4, 2022.
- 5. The deadline for the Debtors and the Committee to file a response to the Core Scientific Motion is November 4, 2022.
- 6. The deadline for Core Scientific to file a reply in support of the Core Scientific Motion is November 7, 2022.
- 7. A hearing on both motions will be held at the Court's earliest convenience on or after November 9, 2022. The Parties will seek to be efficient in their presentation of evidence, but at this time they estimate that an evidentiary hearing will take approximately one day.
- 8. At the hearing, direct testimony will be submitted by declaration, and the declarant will be available for live cross examination. The parties may submit direct testimony declarations from any witness who has been identified and deposed on or before November 8, and the deadline for such declarations will be November 8, 2022. Alternatively, the parties may rely on any declaration submitted in conjunction with their pleadings as the direct testimony for the declarant.

#### **SO STIPULATED:**

Dated: October 17, 2022

/s/ Ray C. Schrock

#### WEIL, GOTSHAL & MANGES LLP

Ray C. Schrock, P.C. David J. Lender Ronit J. Berkovich Theodore E. Tsekerides 767 Fifth Avenue

Counsel to Core Scientific, Inc.

### /s/ David M. Turetsky

## WHITE & CASE LLP

David M. Turetsky Keith H. Wofford Samuel P. Hershey

1221 Avenue of the Americas New York, New York 10020 Telephone: (212) 819-8200 Facsimile: (212) 354-8113

Email: david.turetsky@whitecase.com kwofford@whitecase.com sam.hershey@whitecase.com

-and-

Michael C. Andolina (admitted *pro hac vice*) Gregory F. Pesce (admitted *pro hac vice*)

111 South Wacker Drive, Suite 5100

Chicago, Illinois 60606 Telephone: (312) 881-5400 Facsimile: (312) 881-5450

Email: mandolina@whitecase.com gregory.pesce@whitecase.com

-and-

/s/ Joshua A. Sussberg

## KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C. 601 Lexington Avenue New York, New York 10022 Telephone: (212) 446-4800

Facsimile: (212) 446-4900 Email: jsussberg@kirkland.com

-and-

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*) Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)

Christopher S. Koenig

Dan Latona (admitted pro hac vice)

300 North LaSalle Street Chicago, Illinois 60654 Telephone: (312) 862-2000 Facsimile: (312) 862-2200

Email: patrick.nash@kirkland.com ross.kwasteniet@kirkland.com chris.koenig@kirkland.com dan.latona@kirkland.com

-and-

Judson Brown, P.C. (admitted *pro hac vice*) T.J. McCarrick (admitted *pro hac vice*) Leah Hamlin (admitted *pro hac vice*) 1301 Pennsylvania Avenue NW

Washington, D.C. 20004 Telephone: (202) 389-5000 Facsimile: (202) 389-5200

Email: judson.brown@kirkland.com tj.mccarrick@kirkland.com leah.hamlin@kirkland.com

Counsel to the Debtors and Debtors in Possession

Aaron E. Colodny (admitted *pro hac vice*) 555 South Flower Street, Suite 2700 Los Angeles, California 90071 Telephone: (213) 620-7700 Facsimile: (213) 452-2329

Email: aaron.colodny@whitecase.com

Counsel to the Official Committee of Unsecured Creditors

IT IS SO ORDERED.		
Dated:	, 2022	
New York, New York		
		THE HONORABLE MARTIN GLENN
		CHIEF UNITED STATES BANKRUPTCY JUDGE